



IN THE MAGISTRATE COURT OF
MONONGALIA COUNTY,
WEST VIRGINIA

WARRANT FOR ARREST

State of West Virginia

Case No(s). 13-M31M-06739

v.

Scott Thomas Ballock
102 New Castle Drive
Morgantown, WV 26508

To Any Law Enforcement Officer:

WHEREAS this court has found probable cause to believe that the defendant, Scott Thomas Ballock did commit an offense or offenses in this County on

01st day of May, 2013, previous to the issuance of this warrant 1 count(s) 61-03C-14a(a)(2): Unwanted communications by computer

against the peace and dignity of the State.

Therefore, you are commanded in the name of the State of West Virginia to apprehend the above-named defendant and bring that person before any magistrate in this County, to be dealt with in relation to the charge(s) according to law.

This arrest warrant is to be executed in the following manner (*check one*):

- Forthwith
 Between the hours of 9 a.m. and 4 p.m., Monday through Friday
 Other (*as specified*): _____

Given under my hand this

12 day of

Sept. 9, 2013

Sandy Holepit

Sandy Holepit, Magistrate

Executed by:

Set. 10/13/13

in

Morgantown

County, W.Va., on

9/13/13

(Date)

IN THE MAGISTRATE COURT OF Monongalia COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

v.

Scott Thomas Ballock

Defendant
Address: 102 New Castle Drive, Morgantown,
WV 26508

Date of Birth: 1/68

Driver's license # WV F636388

Case No.: 13-m31m-010739

Misdemeanor
 Felony

Last four digits of SS# 4494

CRIMINAL COMPLAINT

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about 8/31/13 in Monongalia County, West Virginia, in violation of W.Va. Code (cite specific section, subsection, and/or subdivision as applicable) Harassing communications by cell phones and electronic communication devices 61-3C-14a (a) (2), the defendant did (state statutory language of offense) (a) it is unlawful for any person, with the intent to harass or abuse another person, to use a computer, mobile phone, personal digital assistant or other electronic communication device to: (2) Make contact with a person after being requested by the person to desist from contacting them. (e) Any person who violates a provision of this section is guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500 or confined in jail not more than six months, or both fined and confined.

I further state that this complaint is based on the following facts: Between May 2013, and July 2013, the defendant repeatedly harassed his estranged wife Ellen Ballock via e-mails and text messages. The defendant primarily utilized his personal e-mail account to send Ellen Ballock repeated e-mail messages. Ellen Ballock and her attorney communicated in writing to the defendant to stop contact. The defendant continued to repeatedly send e-mails and text messages to Ellen Ballock.

The defendant is/has:

- The victim's spouse or ex-spouse
 A parent or guardian of the victim
 A child in common with the victim
 Living with the victim or had lived with the victim
 A person who may be classified as a spouse, parent or guardian to the victim
 None of the above connections to the victim

Continued on attached sheet? yes no

Complainant (who appears before magistrate):

Corporal R. M. Gaskins

Name
Address: 3453 Monongahela Blvd., Morgantown, WV 26505

Phone: (304) 285 - 3200

Corporal

Office or title, if any

Corporal R. M. Gaskins

Complainant Signature

On this complaint, sworn or affirmed before me and signed this date by complainant in my presence, the item(s) checked below apply:

- Probable cause found
 Summons issued
 Warrant issued
 Warrantless arrest
 No probable cause found

Randy M. Gaskins
Magistrate Signature

9-12-13
Date

- Return
 Defendant
 File
 Complainant
 Prosecutor



IN THE MAGISTRATE COURT OF
MONONGALIA COUNTY,
WEST VIRGINIA

WARRANT FOR ARREST

State of West Virginia

v. Case No(s). 13-M31M-06741

Scott Thomas Ballock
102 New Castle Drive
Morgantown, WV 26508

To Any Law Enforcement Officer:

WHEREAS this court has found probable cause to believe that the defendant, Scott Thomas Ballock did commit an offense or offenses in this County on

01st day of October, 2012, previous to the issuance of this warrant 1 count(s) 61-02-09A(a): Stalking; harassment; penalties; definitions. (Harassment - Misdemeanor)

against the peace and dignity of the State.

Therefore, you are commanded in the name of the State of West Virginia to apprehend the above-named defendant and bring that person before any magistrate in this County, to be dealt with in relation to the charge(s) according to law.

This arrest warrant is to be executed in the following manner (*check one*):

Forthwith

Between the hours of 9 a.m. and 4 p.m., Monday through Friday

Other (*as specified*): _____

Given under my hand this 12 day of Sept, 2013

Sandy Holepit Magistrate

Executed by: Set. M. A. - D. in Melton

County, W.Va., on 9/13/17

(Date)



IN THE MAGISTRATE COURT OF Monongalia COUNTY, WEST VIRGINIA

STATE OF WEST VIRGINIA

v.

Scott Thomas Ballock

Defendant

Address: 102 New Castle Drive, Morgantown,
WV 26508

Date of Birth: / 68

Driver's license # WV F636388

Case No.: 13 M31M - 00744

Misdemeanor
 Felony

Last four digits of SS# 4494

CRIMINAL COMPLAINT

I, the undersigned complainant, upon my oath or affirmation, state the following is true and correct to the best of my knowledge and belief. On or about 07 / 21 / 13 in Monongalia County, West Virginia, in violation of W.Va. Code (cite specific section, subsection, and/or subdivision as applicable) Harassment 61-2-9a the defendant did (state statutory language of offense) (b) Any person who repeatedly harasses or repeatedly makes credible threats against another is guilty of a misdemeanor and, upon conviction thereof, shall be incarcerated in the county or regional jail for not more than six months or fined not more than one thousand dollars, or both.

I further state that this complaint is based on the following facts: Between October 2012, and July 2013, the defendant repeatedly harassed his estranged wife Ellen Ballock via e-mails and text messages. The defendant primarily utilized his personal e-mail account and his government issued e-mail account to send Ellen Ballock repeated e-mail messages. Ellen Ballock and her attorney communicated in writing to the defendant to stop contact. The defendant continued to repeatedly send e-mails and text messages to Ellen Ballock.

The defendant is/has:

- The victim's spouse or ex-spouse
 A parent or guardian of the victim
 A child in common with the victim
 Living with the victim or had lived with the victim
 A person who may be classified as a spouse, parent or guardian to the victim
 None of the above connections to the victim

Continued on attached sheet? yes no

Complainant (who appears before magistrate):

Corporal R. M. Gaskins

Name
Address: 3453 Monongahela Blvd., Morgantown, WV 26505

Phone: (304) 285 - 3200

Corporal

Office or title, if any

Corporal R. M. Gaskins

Complainant Signature

On this complaint, sworn or affirmed before me and signed this date by complainant in my presence, the item(s) checked below apply:

- Probable cause found
 Summons issued
 Warrant issued
 Warrantless arrest
 No probable cause found

Magistrate Signature

Dandy D. Gaskins
9-12-10

Date

- Return
 Defendant
 File
 Complainant
 Prosecutor

IN THE MAGISTRATE COURT OF MONONGALIA COUNTY, WEST VIRGINIA

Out-of-County Warrant:

State of West Virginia
v.

Case No. 13M-6741

SCOTT THOMAS BALLOCK
Defendant (Full Name)
102 NEW CASTLE DR.
Address
MORGANTOWN, WV 26508
City, State, & Zip Code

XXX-XX-4494 '68
Social Security Number Date of Birth
WV F636388
Driver's License / Identification Number
734-604-9596
Phone Number(s)

INITIAL APPEARANCE: RIGHTS STATEMENT

Mag. Ct. Criminal Procedure Rule 5 (5.1 and 5.2 if applicable)

A. GENERAL: EITHER MISDEMEANOR OR FELONY OR BOTH

1. The magistrate has informed me that I am not required to make a statement, and that any statement I do make may be used against me.
2. The magistrate has informed me that I am charged with the Misdemeanor Felony Offense(s) of **HARASSMENT AND HARASSMENT BY ELECTRONIC DEVICES**

and that, if I am later found guilty or plead guilty, the possible penalties are (*mandatory minimum penalty, if any, and maximum penalty*) **1) JAIL UP TO 6 MOS. AND/OR FINE UP TO \$100, 2) JAIL UP TO 6 MOS. AND/OR FINE UP TO \$500**

3. The magistrate has informed me that I have the right to be represented by an attorney at every stage of the proceeding. If the statutory offense provides for a possible jail sentence, and if I cannot afford to hire an attorney and I meet the financial guidelines, an attorney will be appointed to represent me. I understand this right, and further understand that if I decide to represent myself, I cannot later claim that I was deprived of my right to be represented by an attorney.

DEFENDANT MUST INITIAL ONE OF THE FOLLOWING:

- (a) I give up my right to have an attorney represent me.
ATB
- (b) I want to hire an attorney to represent me.
- (c) I want an attorney appointed to represent me. I understand that if I am found guilty, I may be required to reimburse the State for attorney fees even if a court-appointed or public defender attorney is approved to represent me.

09/13/2013
Date

X S-T-B
Defendant's Signature

Case No. 13M-6741

4. The magistrate has informed me that I have been charged with an offense for which the penalty is life imprisonment, and bail must be set by the circuit court.
5. The magistrate has informed me that I may be released from custody while awaiting further proceedings on the charge(s) stated above if I am able to make bail as follows: \$5,000 P.R.

If real property is used as security, a justification of surety IS or IS NOT required.

6. The magistrate has informed me that I will be given reasonable time and opportunity to talk with an attorney or some other person for the purpose of obtaining counsel or for arranging bail.

B. MISDEMEANOR CHARGE(S) ONLY

1. The magistrate has informed me that I have a right to plead not guilty, a right to a trial by jury or by a magistrate without a jury, and that if I plead guilty or no contest, I give up my right to a trial.
2. The magistrate has informed me that I have the right to demand a jury trial and, if I want a jury trial, I must let the magistrate court know in writing no later than twenty (20) days from the date of this initial appearance, or if I receive court-appointed counsel, twenty (20) days from the date an attorney is appointed. The magistrate has further informed me that if I demand a jury trial, I may not withdraw my demand for a jury trial if the prosecuting attorney objects to the withdrawal. If I do not demand a jury trial within the twenty-day period, I have also been informed that I give up my right to a jury trial. The magistrate will try my case without a jury, and an appeal of a magistrate court conviction will not entitle me to a jury trial in circuit court. I understand if I have a jury, the jury fee will be assessed against me if I am convicted.
3. (if applicable) The magistrate has informed me that if I have been charged with First Offense Driving Under the Influence of Alcohol in violation of W. Va. Code § 17C-5-2(d)(1)(A), I may be eligible for the DUI Deferral Program. I understand that I have thirty (30) days from the date of my arrest to request to participate in the program as set out in W. Va. Code § 17C-5-2b.
4. (if applicable) The magistrate has informed me that it SHALL be unlawful for me to have/possess/own or purchase a firearm, including a handgun or long gun, or ammunition pursuant to federal law under 18 U.S.C. 922(g)(9) if I am convicted of a domestic violence offense such as assault, battery, domestic assault, domestic battery, malicious wounding/assault, unlawful wounding/assault, or any attempt to commit a domestic violence offense involving the use of physical force or threatened use of a deadly weapon; and I am a current or former spouse, current or former intimate partner, parent or guardian of the victim, or have a child in common with the victim, or I am or was involved in another similar relationship with the victim, or currently or formerly cohabited with the victim.

I understand that if I have any questions regarding whether or not this law makes it illegal for me to ship, transport, purchase, or possess a firearm or ammunition, I may consult an attorney.

09/13/2013
Date

X J - B
Defendant's Signature

MCRIRST Rev. 03/2013 (previously SCA-M312) Initial Appearance: Rights Statement
WVSCA Approved: 03/01/2013; Docket Code(s): MMIRS

Case No. 13M-6741

C. FELONY CHARGE(S) ONLY

The magistrate has informed me that

1. if I have been charged with a felony offense for which the penalty is life imprisonment, only the circuit court may set and grant bail;
2. I have the right to a preliminary hearing to determine whether or not any felony charge(s) should be bound over for possible presentation to a grand jury;
3. the preliminary hearing shall be held within ten (10) days of my initial appearance if I am in custody, or within twenty (20) days of my initial appearance if I am not in custody (*W. Va. Code § 62-1-8*).

DEFENDANT MUST INITIAL ONE OF THE FOLLOWING THREE CHOICES:

- (a) I want a preliminary hearing.
- (b) I give up my right to a preliminary hearing.
- (c) I, or my attorney, will inform the court whether I want a preliminary hearing.

09/13/2013

Date

Defendant's Signature

I have informed the defendant of the matters set out above. I find that any waiver of rights herein is made knowingly and voluntarily by the defendant.

(Initial if applicable) I certify that the defendant refused to initial and/or sign this document at the appropriate places.

09/13/2013

Date

Magistrate's Signature

IN THE MAGISTRATE COURT OF MONONGALIA COUNTY, WEST VIRGINIA

Out-of-County Warrant:

State of West Virginia

v.

Case No.: 13M-6741

SCOTT THOMAS BALLOCK

Defendant (Full Name)

102 NEW CASTLE DR.

Address

MORGANTOWN, WV 26508

City, State, & Zip Code

XXX-XX-4494

/68

Social Security Number

Date of Birth

WV F636388

Driver's License / Identification Number

734-604-9596

Phone Number(s)

CRIMINAL BAIL AGREEMENT: CASH OR RECOGNIZANCE

WV Code: Cash Bond [§ 62-1C-12], P.R. [§ 62-1C-1a and 4], 10% Cash Bond [Trial Ct. Rule 31.01], Surety Company [§ 62-1C-4]

A. AMOUNT OF BAIL: The defendant having been charged with the Misdemeanor Felony Offense of HARASSMENT AND HARASSMENT BY ELECTRONIC DEVICES

and having a right to bail, this Court hereby sets bail for the defendant as follows: \$5,000 P.R.

If real property is used as security, a justification of surety IS or IS NOT required.

B. TERMS AND CONDITIONS FOR RELEASE ON BAIL

If admitted to bail, the defendant understands and agrees

1. to be present in person in the Magistrate Court of Monongalia County on the _____ day of _____, 20_____, at _____ a.m. / p.m., or to be set as specified in a Notice of Hearing that will be mailed to the above address;
2. to be present in person at any other proceeding(s) concerning the above charge(s) and to obey any notice, process, or order issued by this Court, or the Circuit Court, until either Court has disposed of all matters with respect to the bail granted;
3. to appear and begin serving jail or prison time as ordered by the disposing Court if that Court renders a judgment of guilt on the offense(s) charged and imposes a penalty of incarceration;
4. to inform the Court immediately of any change of name, address, or telephone number;
5. may may not leave the State of West Virginia without written approval by this Court;
6. not to violate any state or federal laws;
7. to have no direct or indirect physical or verbal contact with ELLEN BALLOCK _____ in this matter; alleged victim(s)
8. to comply with the following additional condition(s) of this bail: AFTER FAMILY COURT
APPEARANCE, MUST IMMEDIATELY REPORT TO WV STATE POLICE, MORGANTOWN, WV
FOR PROCESSING ON 9/13/13

The defendant also understands and agrees that, if he or she is admitted to bail and does not fulfill the terms and conditions above, the full bail amount is subject to forfeiture and may be increased; that other penalties for violation of such terms and conditions may be imposed; and that, if the defendant fulfills the terms above, the surety will be released and the cash deposit returned, if appropriate, or the recognizance satisfied.

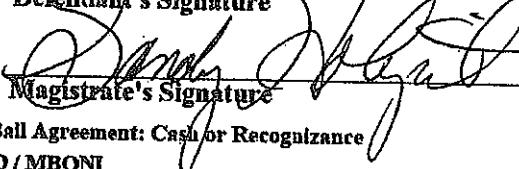
09/13/2013

Date


Defendant's Signature

09/13/2013

Date


Magistrate's Signature

MCRCRBA Rev. 04/2013 (previously SCA-M105) Criminal Bail Agreement: Cash or Recognizance
WVSCA Approved: 04/18/2013; Docket Code(s): MBOND / MBONI

Case No.: 13M-6741

C. CONSENT TO APPLY DEPOSIT:

By signing below, I acknowledge that bail I have posted or secured may be subject to forfeiture if the defendant willfully fails to appear.

I agree or do not agree that the funds I have deposited may be used to cover court costs, fees, and fines if the Court renders a judgment of guilt against the defendant or the payment of court costs, fees, and fines are otherwise lawfully required.

Other Depositor or Surety Information:

Depositor / Surety (Full Name)

Address

Phone Number(s)

City, State, & Zip Code

XXX-XX-

Social Security Number

09/13/2013

Date

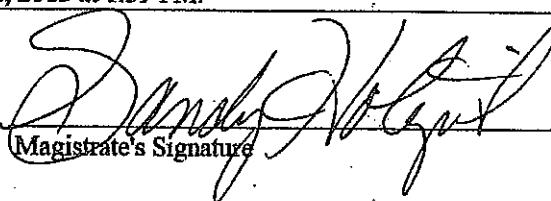
Other Depositor or Surety Signature(s), if any

Other Depositor or Surety Signature(s), if any

D. ADMISSION TO BAIL

Accordingly, the Court hereby approves bond for the defendant and ORDERS the defendant's continued freedom or release from custody.

Acknowledged before me this 13th day of September, 2013 at 1:59 PM.
(Date and Time)


Magistrate's Signature

09/13/2013

Date


Defendant's Signature